

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 11-179—sSB 1039**  
*Education Committee*  
*Public Health Committee*

**AN ACT CONCERNING EDUCATION ISSUES**

**SUMMARY:** This act changes education laws relating to (1) health professionals authorized to perform school health assessments; (2) mandates on regional education service centers; (3) school district reporting on efforts to address racial, ethnic, and economic isolation in schools; (4) the education commissioner's authority to renew international teacher permits; (5) the contents of annual school district expenditure reports; (6) the payment schedule for state interdistrict magnet school operating grants; (7) annual financial audits for interdistrict magnet schools; (8) the qualifications of Junior Reserve Officer Training Corps (JROTC) instructors and assistant instructors working in schools; (9) approving applications and funding priorities for charter schools; and (10) a program allowing national teacher corps training program graduates to teach under special state-issued durational shortage area permits in certain school districts.

**EFFECTIVE DATE:** Upon passage, except for the provisions concerning (1) annual financial audits for interdistrict magnet schools and (2) the national teacher corps training program graduates, which are effective July 1, 2011.

**§ 1 — SCHOOL HEALTH ASSESSMENTS BY MEDICAL PROFESSIONALS  
AT MILITARY BASES**

The act allows advanced practice registered nurses (APRNs) and physician assistants stationed on military bases to perform required health assessments for students attending public schools. Under prior law, such APRNs and physician assistants could perform student assessments only if they were licensed in Connecticut.

The act does not change existing law that allows any legally qualified medical practitioner but only Connecticut-licensed registered nurses to perform student health assessments.

**§ 2 — REGIONAL EDUCATION SERVICE CENTER MANDATES  
ELIMINATED**

The act eliminates requirements that each regional education service center (RESC) (1) spend at least 6.25% of its annual state operating grant to help school boards implement State Board of Education-identified educational goals and objectives and (2) support data collection and analysis on school district efforts to reduce racial, ethnic, and economic isolation. RESCs must continue to support regional efforts to recruit and retain minority teachers.

## OLR PUBLIC ACT SUMMARY

### § 3 — REPORTING ON EFFORTS TO REDUCE RACIAL, ETHNIC, AND ECONOMIC ISOLATION IN SCHOOLS

The act simplifies the process and changes the schedule for required biennial school district reports on programs and activities to reduce racial, ethnic, and economic isolation. Instead of requiring school districts to report to RESCs and RESCs to report to the education commissioner, the act requires districts to report directly to the commissioner and eliminates the RESC reports. It also changes the filing deadline for the district reports from July 1 to October 1 biennially, starting October 1, 2011.

By law, reports must include (1) information on the number of school district programs to reduce racial, ethnic, and economic isolation; how long they last; and the number of students and staff involved and (2) evidence that the district is making progress in reducing such isolation.

### § 4 — INTERNATIONAL TEACHER PERMIT RENEWALS

The act removes the limit on the number of times the education commissioner can renew a temporary international teacher permit at the request of a local or regional board of education. It allows the commissioner to renew a permit as long as, at the time of the renewal, the foreign teacher maintains a valid J-1 visa. The maximum renewal period continues to be one year. Under prior law, the commissioner was limited to two one-year renewals in the two years after issuing the permit.

An international teacher permit allows a qualified foreign teacher to teach in a public school in a subject shortage area identified by the education commissioner. The permit is valid for one year and is issued only at a school board's request.

### §§ 5-7 — SCHOOL DISTRICT ANNUAL EXPENDITURE REPORTS

School districts must report specified annual education expenditures to the state for purposes of Education Cost Sharing (ECS) and other state education grants. Among the expenditures they must include when reporting net current, regular, and current program expenditures are debt service payments.

The act eliminates an obsolete requirement that districts adjust reported debt service expenditures to amortize principal payments according to a State Department of Education (SDE)-approved schedule based on substantially equal installment payments over the life of the debt. The amortized debt payments were used in calculating district ECS minimum expenditure requirements (MERs) but the MER was replaced by the minimum budget requirement (MBR) in 2005.

### § 8 — PAYMENT SCHEDULE FOR INTERDISTRICT MAGNET SCHOOL GRANTS

The act adjusts the payment schedule for state operating grants for interdistrict magnet schools. It requires SDE to pay 70%, rather than 50%, of the grant by September 1, and the balance on May 1, instead of January 1, annually. Under

## OLR PUBLIC ACT SUMMARY

both prior law and the act, if a magnet school's actual enrollment is lower than projected in its approved grant application, SDE must adjust the second payment to reflect actual enrollment on the preceding October 1. But, under the act, SDE must base the adjustment on revisions of October 1 enrollment data as of the following March 1.

In cases where the magnet school's annual financial audit shows a grant overpayment, the act also requires SDE to adjust the May payment based on the difference between the prior year's total grant and the current year's preliminary grant amount.

### § 9 — INTERDISTRICT MAGNET SCHOOL ANNUAL FINANCIAL AUDITS

The act requires all interdistrict magnet schools, not just those operated by RESCs, to file annual financial audits with the education commissioner.

### § 10 — JROTC PROGRAM INSTRUCTORS WORKING IN SCHOOLS

The act overrides statutory requirements requiring a public school teacher to be state certified to allow a board of education to employ in a school as a JROTC Program instructor or assistant instructor, anyone who is certified as such by the U.S. armed forces.

### § 11 — TIME LIMIT FOR REVIEWING STATE CHARTER SCHOOL APPLICATIONS

The act extends, from 75 to 90 days after it receives the application, the deadline for the SBE to review and vote to approve or disapprove an application to establish a state charter school.

### § 12 — NEW CHARTER SCHOOL FUNDING PRIORITIES

By law, SBE must approve new charter schools before they can begin taking students. If in any year it approves more than one, it must prioritize those that receive funding according to several factors the law lists in priority order. The act adds a new prioritization factor to the list, gives the new factor the highest priority, and applies the priority requirements to local as well as state charter schools.

Prior law required SBE to determine the order in which newly approved charter schools were funded by applying the following factors in the following order of importance:

1. whether the applicant has a demonstrated record of student academic success;
2. whether the school is located in a district with a demonstrated need for student improvement; and
3. whether the applicant has plans for preparing facilities, staff, and outreach to students.

The act adds, as the most important factor, the quality of the school's proposed program as measured against criteria required by the statutory charter

school application process. It does not change the existing factors or their priority in relation to one another.

### § 13 — DURATIONAL SHORTAGE AREA PERMITS FOR NATIONAL TEACHER CORPS GRADUATES

The act extends, from July 1, 2011 to July 1, 2015, the sunset date for a program allowing qualified graduates of a national teacher corps training program, such as Teach for America, to work under special durational shortage area permits (DSAPs) issued by SDE in certain school districts.

The special DSAPs for teacher corps graduates allow them to work at the elementary or secondary level in regular public and charter schools in Bridgeport, Hartford, and New Haven and in state charter schools in Stamford. By law, when issuing the special DSAPs, SBE must first meet the needs of schools run by the Bridgeport, Hartford, and New Haven boards of education and second, the needs of charter schools in those districts plus Stamford.

### BACKGROUND

#### *J-1 Visa*

A J-1 visa is a non-immigrant visa provided to foreign visitors who fall under the “Exchange Visitor” designation and are allowed to come to the United States to promote mutual educational and cultural exchanges. The visitor’s sponsor must be accredited through the U.S. State Department’s Exchange Visitor Program. Among those who qualify for J-1 status through the program are high school, college, and graduate students; business and flight aviation trainees; primary and secondary school teachers; college professors; research scholars; and medical residents and interns receiving U.S. medical training.

#### *JROTC Instructors and Assistant Instructors*

JROTC instructors and assistant instructors are retired military members and must meet standards for such positions established by their service branch. Instructors must be retired officers and have at least a bachelor’s degree, with a master’s degree and teaching experience preferred. Assistant instructors must be retired noncommissioned officers with at least 20 years of active duty, a high school diploma or equivalent, and must obtain an associate’s degree within five years of JROTC employment.

#### *Durational Shortage Area Permit (DSAP)*

A DSAP is a temporary public school teaching credential issued by SBE at the request of a local board of education. It allows an uncertified person to teach in a particular position for which no suitable certified teacher is available. The special DSAPs for national teacher corps graduates are valid for one year and can be renewed once. To qualify for the special permit, graduates must (1) be enrolled in an SBE-approved teacher preparation or alternative route to certification program in the subject they are teaching and (2) have completed at least 12 semester hours

## OLR PUBLIC ACT SUMMARY

of credit in, or passed the SBE-approved test for, the subject they are teaching.

### *Charter Schools*

A charter school is a nonsectarian public school organized as a nonprofit corporation and operated independently of a local or regional board of education. The SBE grants and renews the charters, usually for five years and, as part of the charter, may waive certain statutory requirements applicable to other public schools.

OLR Tracking: JSL:SP:PF:ro/ts